

EXHIBIT 19

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF WEST VIRGINIA

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SCOTT T. BALLOCK,	*
Plaintiff	* Case No.
vs.	* 1:17-CV-52
ELLEN RUTH COSTLOW, STATE	*
TROOPER MICHAEL KIEF,	*
STATE TROOPER RONNIE M.	*
GASKINS and STATE TROOPER	*
CHRIS BERRY,	*
Defendants	*

* * * * *

VIDEOTAPED DEPOSITION OF
ELLEN RUTH COSTLOW
June 13, 2019

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1 came to see if anything was about Tommy or Summer.

2 So there were steps that they had taken to try
3 to alleviate the --- the effect it was having.

4 Q. So let me ask you, when you were meeting with
5 the state police, specifically with Sergeant Kief, he's a
6 lieutenant now but he was Sergeant at the time. You met
7 with him the night before the hearing.

8 A. That happened to be --- was that the day or the
9 day before that had been called? That was coincidence.

10 Q. So arresting Scott in front of the family court
11 judge was just mere coincidence.

12 A. That's not my decision. What was asked was do
13 I know when he works. Work hours. I said something
14 about, you know, home with the children not good because
15 --- otherwise he's here. But I wasn't certain of his
16 hours or anything like that. I said all I know for
17 certain is he will be at family court. We have a hearing
18 tomorrow.

19 Q. You said --- oh, I'm sorry.

20 A. No I was just -- that's all. That's all.

21 Q. Okay.

22 A. There was no advantage I was trying to gain by
23 this for myself, for any court proceeding. And ---.

24 Q. You know a representative from the FBI was

1 they meant.

2 Q. Okay.

3 I just wanted to know when did Marcia and Gabe
4 consult with you and I guess I wasn't specific enough.
5 Did they consult with you about the decision to discharge
6 or to dismiss the charges?

7 A. Yes.

8 Q. Okay.

9 And when was that? I don't need an exact date.

10 A. That's okay. I think it was the night before
11 and then the day of or the day before, day or two before.
12 One of those also was to familiarize me with what it
13 would look like or you know, be like or ---.

14 Q. So when you say a day or two before ---

15 A. Uh-huh (yes).

16 Q. --- you're talking about the hearing where the
17 charges were dismissed?

18 A. Yes.

19 Q. Had you asked him to dismiss the charges?

20 A. I didn't ask them to dismiss charges. I didn't
21 have to do anything like that. It was presented.

22 Q. They told you they were going to dismiss the
23 charges?

24 A. Yes.